

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CHRISTOPHER ODDO,
HARRY HYADUCK, SR., LARRY
KAHHAN and GERALD DWYER, on
Behalf of Themselves and All Other
Persons Similarly Situated,

Plaintiffs,

v.

T-MOBILE USA, INC.,

Defendant.

Civ. Action No. 2:24-cv-07719
(MEF/JRA)

NOTICE OF MOTION

Motion Date: October 7, 2024

Document filed electronically

Oral argument requested

TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that on October 7, 2024, or on a date that the Court deems appropriate, counsel for Defendant T-Mobile USA, Inc. (“T-Mobile”) shall move before the Honorable Michael E. Farbiarz, U.S.D.J., at the United States District Court for the District of New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street Room 4015, Newark, New Jersey, for an Order dismissing the claims of Plaintiffs Hyaduck, Dwyer, and Kahhan (“Non-Resident Plaintiffs”) for lack of personal jurisdiction pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, or, in the alternative, dismissing Non-Resident Plaintiffs’ claims in favor of arbitration. T-Mobile shall also move for an Order pursuant to

Sections 3 and 4 of the Federal Arbitration Act compelling arbitration of Plaintiff Oddo's claims and staying his claims in this proceeding.

PLEASE TAKE FURTHER NOTICE that, in support of the within Motion, T-Mobile will rely upon the submitted Memorandum of Law in Support of T-Mobile USA, Inc's Motion to Dismiss for Lack of Personal Jurisdiction and Motion to Compel Arbitration and accompanying exhibits.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is included with this Notice of Motion, pursuant to Local Civil Rule 7.1(e).

Dated: September 6, 2024

Respectfully submitted,

By: /s/ Reade W. Seligmann
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